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Security Council

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Letter dated 15 October 2015 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to forward to you a concept note for the Security Council open debate on working methods, which will be held on 20 October 2015 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Román **Oyarzun**

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Please recycle

Annex to the letter dated 15 October 2015 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

Concept note for the open debate in connection with the item entitled "Implementation of the note by the President of the Security Council (S/2010/507)", 20 October 2015

I. Introduction

The working methods of the Security Council continue to be an important issue for the United Nations membership at large. Although the Council has continued to adapt itself to constructively address several concerns about its working methods, transparency, participation, accountability and efficiency remain key topics in the discussions within and outside the Council and areas in which the majority of Member States consider that there is room for further improvement.

II. Proposed issues for debate

In the note by the President of the Security Council (S/2013/515), the Council committed itself to implementing a number of measures to enhance its efficiency and transparency, in addition to its interaction and dialogue with non-Council members and bodies. The upcoming open debate presents an opportunity to consider how the Council can continue to improve all of these aspects in its relationship with non-Council members and bodies, in particular the General Assembly, the Economic and Social Council and the Secretariat.

Delegations are further invited to draw lessons from the past five years of developments in the working methods of the Security Council. Building on the experience of previous discussions, the open debate is also the occasion to identify areas and means, including through the Informal Working Group on Documentation and Other Procedural Questions, to improve the way the Council implements the range of previously agreed measures contained in the note by the President of the Council (S/2010/507) and subsequent notes agreed by the Informal Working Group.[1]

III. Context

The relationship between the Security Council and the General Assembly is founded on a set of dispositions laid down in the Charter of the United Nations (Articles 4-6, 10-12, 15 (1), 20, 23, 24 (3), 93 and 97). It encompasses peace and security issues, the appointment of the Secretary-General, the elections of judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, recommendations of the General Assembly to the Council, the annual and special reports of the Council, and the relations between the Council and certain subsidiary organs established by the General Assembly.

[1] S/2012/402, S/2012/922, S/2012/937, S/2013/515, S/2013/630, S/2014/268, S/2014/393, S/2014/565, S/2014/739 and S/2014/922.

The importance of the way the Council works and its relationship with the General Assembly will be underlined in 2016 with the upcoming election of the Secretary-General.

Recently, there have been a growing number of calls, within and outside the United Nations, for more transparency and inclusiveness in the process of selecting the next Secretary-General.[2] Different initiatives and proposals are already circulating. A common denominator in all of the different initiatives and proposals is the belief that the next chief of the Organization should be selected through a more interactive, dynamic and transparent process.

In July 2015, under the presidency of New Zealand, the Security Council held its first informal discussion on the process for the selection of the next Secretary-General, under "Any other business".

For its part, on 11 September 2015, the General Assembly adopted resolution 69/321 on the revitalization of the work of the General Assembly, in which it requested the Presidents of the General Assembly and the Security Council to start the process of soliciting candidates for the position of Secretary-General.

On the other hand, the 2030 Agenda for Sustainable Development brings new impetus to the relationship between the Security Council and the Economic and Social Council. In January 2015, the Security Council underlined that "security and development are closely interlinked and mutually reinforcing and key to attaining sustainable peace" (S/PRST/2015/3). The 17 recently adopted Sustainable Development Goals thus provide an opportunity for the two bodies to build on best practices and take a renewed and active role in following up on implementation.

Furthermore, the debate is also the occasion to reflect on how the Security Council and the Secretary-General can work better together to maximize impact on the ground. In addition to the administrative functions, Articles 98 and 99 of the Charter set the basis for several other functions entrusted to the Secretary-General, which also shape the relationship between the Council and the Secretariat. These functions include measures to ascertain the facts, good offices, joint efforts to promote political settlements, peacekeeping and implementation of peace agreements, support to international and special tribunals, and implementation of sanctions regimes.

IV. Format and participants

Open debates should provide a platform for communication and interaction between the Security Council and the wider membership of the United Nations to feed future deliberations of the Council. The reality, however, is that open debates,

[2] The Secretary-General is elected by Member States under a process outlined in Article 97 of the Charter of the United Nations, rule 141 of the rules of procedure of the General Assembly and rule 48 of the provisional rules of procedure of the Security Council. Article 97 of the Charter provides that the Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. In practice, this is formalized through the adoption of a resolution by the Assembly. Under rule 83 of the rules of procedure of the General Assembly, this decision is an important question that requires a two-thirds majority. Rule 48 of the provisional rules of procedure of the Security Council requires that the recommendation be discussed and decided at a private meeting, unless otherwise agreed.

aimed primarily at listening to the general membership, have become day-long meetings that lack interactivity. Furthermore, outcomes of these Security Council debates, such as resolutions and presidential statements, are commonly adopted at the beginning and, less frequently, at the end of the meeting, without actually reflecting the interaction and dialogue between the Council and the other members of the United Nations that an "open debate" should represent.

Spain would like to encourage further implementation of several of the actions foreseen in the note by the President (S/2010/507) and subsequent relevant notes aimed at improving the working methods of the Security Council. The debate on working methods is the perfect opportunity to move from theory into practice.

The main goals are (i) to reduce the overall length of the debate, while retaining its substantive component, thus improving the efficiency of the Council; (ii) to ensure the effectiveness of the debate by having an outcome; and (iii) to improve transparency and interactivity through an outcome to be adopted at a later stage, thus also taking into account the relevant views of the wider membership.

The President of the General Assembly, the Deputy Secretary-General and the Vice-President of the Economic and Social Council will deliver brief introductory remarks.

Joint statements, including from members of the Security Council, are strongly encouraged. Speakers are also urged to refrain from the usual introductory compliments. The following guidelines will be observed regarding the allocation of time:

- Joint statements by groups — up to 10 minutes
- National statements complementing joint statements — 2 minutes
- National statements — 3 minutes

The President of the Security Council will close the debate, capturing the main elements identified during the meeting that will shape the outcome to be issued at a later date.

To facilitate the discussion on the working methods of the Security Council, the Secretariat is further developing and adding information to the website of the Informal Working Group on Documentation and Other Procedural Questions (https://www.un.org/sc/suborg/en/subsidiary/wgdocs). The provisional verbatim records of the meeting will also be made available on the website, at https://www.un.org/sc/suborg/en/subsidiary/wgdocs/s/2010/507.

V. Outcome

The importance of the working methods of the Security Council speaks for itself. Over the years, innovation and adaptability have been among the distinctive features of the Council. It is thus proposed that Council members consider the debate an opportunity:

(a) To reaffirm their commitment to implement the measures already agreed upon and to actively consider and adopt improved practices, while reflecting the main elements coming out of the open debate;

(b) To reflect the Council's efforts to improve the flow of information and the exchange of ideas between the Security Council and the General Assembly, the Economic and Social Council and the Secretariat, and between the members of the Security Council and other Member States;

(c) To support and guide the future work of the Informal Working Group on Documentation and Other Procedural Questions, which is an important forum for discussion within the Council about its working methods.

Member States are invited to send their written proposals by 3 p.m. on 21 October to the Permanent Mission of Spain to the United Nations, at rep.nuevayorkonu@maec.es, copying elisabete.palma@maec.es.